

Remarks

This is in response to the non-final Office Action mailed on July 23, 2004. Claims 1, 8, 16, 18, and 21 have been amended, support for the amendments to claims 1, 8, 16, and 18 being found, for example, at page 5, lines 23-25 of the application. No new matter has been added. Claims 1-21 remain pending. Reconsideration and allowance are respectfully requested for at least the following reasons.

I. Claim Rejections - 35 U.S.C. § 112

In section 3 of the Action, claims 18-21 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 18 and 21 have been amended to remedy any indefiniteness issues. Reconsideration and allowance are respectfully requested.

II. Claim Rejections - 35 U.S.C. § 102

In section 5 of the Action, claims 1, 2, 4, 5, 7-10, 16, and 18-21 were rejected under 35 U.S.C. § 102(b) as being anticipated by Hult, U.S. Patent No. 3,760,209. This rejection is respectfully traversed, and reconsideration is requested for the following reasons.

Claim 1 is directed to an electric motor. Claim 1 recites, among other limitations, a metal frontplate covering an open end of a sleeve, and a member positioned between the sleeve and the frontplate.

Hult discloses a motor 10 including outer end pieces or end bells 54 and 56 that are made of plastic. Hult, col. 1, ll. 49-51 and col. 2, ll. 6-9. Hult fails to disclose or suggest a metal frontplate as recited by claim 1.

Reconsideration and allowance of claim 1, as well as claims 2, 4, 5, and 7 that depend therefrom, are respectfully requested for at least this reason.

Claims 8 and 16 both recite a metal frontplate, and claim 18 recites a metal backplate. Therefore, claims 8, 16, and 18, as well as claims 9, 10, 20, and 21 that depend therefrom, should be allowable for at least reasons similar to those provided above with respect to claim 1. Reconsideration and allowance are respectfully requested.

In section 6 of the Action, claims 1, 2, 6, 12, and 14-16 were rejected under 35 U.S.C. § 102(b) as being anticipated by Masaru, JP 01-231633. This rejection is respectfully traversed, and reconsideration is requested for at least the following reasons.

Claim 1 recites a member including a first portion positioned between the sleeve and the frontplate, a second portion extending axially with respect to the sleeve, and a third portion extending radially.

Masaru discloses an insulating member 61. Masaru, abstract and Figures 1-3 and 5. However, Masaru fails to disclose or suggest a member including a first portion positioned between the sleeve and the frontplate, a second portion extending axially with respect to the sleeve, and a third portion extending radially, as recited by claim 1.

Reconsideration and allowance of claim 1, as well as claims 2 and 6 that depend therefrom, are respectfully requested for at least this reason.

Claim 12 recites a member including a first portion configured to be positioned between the sleeve and the frontplate of the motor, a second portion configured to be extended to a shoulder of the sleeve, and a third portion configured to contact the shoulder of the sleeve.

For at least reasons similar to those noted above, Masaru fails to disclose or suggest a member as recited by claim 12. Reconsideration and allowance of claim 12, as well as claims 14 and 15 that depend therefrom, are respectfully requested.

Claim 16 recites a method of assembling a motor, including positioning a unitary member on a metal frontplate, wherein the member includes a first portion extending along a periphery of an open end defined by the sleeve, and a second portion extending axially with respect to the sleeve.

For at least reasons similar to those noted above, Masaru fails to disclose or suggest a member configured as recited by claim 16. Reconsideration and allowance of claim 16 are respectfully requested.

III. Claim Rejections - 35 U.S.C. § 103

In section 8 of the Action, claims 6, 11, 12, 14, and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hult in view of Johnson, U.S. Patent No. 3,555,320. This rejection is respectfully traversed, and the correctness of the rejection is not conceded.

Claims 6 and 11 depend from claims 1 and 8, respectively. Johnson does not remedy the shortcomings of Hult noted above. Therefore, claims 6 and 11 should be allowable for at least the same reasons as those provided above with respect to claims 1 and 8. Reconsideration and allowance are respectfully requested.

Claim 12 recites a member including a third portion configured to contact the shoulder of the sleeve. Neither Hult nor Johnson discloses or suggests a member including a third portion configured to contact a shoulder of a sleeve, as recited by claim 12. Reconsideration and allowance of claim 12, as well as claims 14 and 15 that depend therefrom, are therefore respectfully requested.

IV. Allowable Subject Matter

In section 9 of the Action, claims 3, 13, and 17 were noted as being allowable. Applicant appreciates the Examiner's assistance in identifying allowable subject matter. All claims should be in condition for allowance.

V. Conclusion

The remarks set forth above provide certain arguments in support of the patentability of the pending claims. There may be other reasons that the pending claims are patentably distinct over the cited references, and the right to raise any such other reasons or arguments in the future is expressly reserved.

Favorable reconsideration in the form of a Notice of Allowance is respectfully requested. Please contact the undersigned attorney with any questions regarding this application.

Respectfully submitted,
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